

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Vincent Moore,

Case No. 2:15cv13319

Petitioner,

v.

ORDER

Thomas Mackie, Warden,

Respondent.

This is a habeas corpus case under 28 U.S.C. § 2254(d) now pending in the Eastern District of Michigan. Because the former state court judge who presided at trial is now a U.S. District Judge for the Eastern District of Michigan, I have been assigned to this case by designation.

It is my understanding that the United States Magistrate Judge of that District to whom this case has been referred for a Report & Recommendation has declined to accept the referral. The Judge has done so, according to my understanding, due to reluctance to sit in judgment on the judicial work of a judicial colleague.

As a former Magistrate Judge who, from time to time received referrals from District Judges to prepare a Report & Recommendation in federal petitioner cases arising under 28 U.S.C. § 2255, I understand that concern. However, having been directed by a District Judge to review the record and prepare a Report & Recommendation, I performed that duty as ordered.

I desire that the Eastern District Magistrate Judge to whom this case has been referred do likewise, as that would be of substantial assistance to the undersigned.

It is, accordingly, hereby

ORDERED THAT that United States Magistrate Judge for the Eastern District of Michigan to whom that Court previously referred the pending petition for review and filing of a Report & Recommendation shall proceed to do so for the benefit of the undersigned.

So ordered.

/s/ James G. Carr
Sr. U.S. District Judge